

REMARKS

Applicant thanks the Examiner for the very thorough consideration given the present application.

Claims 2-4 and 6-19 are now present in this application. Claims 2, 11 and 14 are independent.

Claims 2-4 and 6-19 have been amended. Claims 17-19 have been added. No new matter is involved. Reconsideration of this application, as amended, is respectfully requested.

Claim Objections

The Examiner has objected to claims 6, 13 and 16 because of various informalities. Applicant respectfully traverses these objections.

In order to overcome the objection to claim 6, Applicant has amended claim 6 by changing "the hanging portion" to read --the hanging portion formed at both sides of one end of the hook-- to make claim 6 consistent with claim 2.

In order to overcome the objection to claim 13, Applicant has amended claim 13 by changing "to move" to --movement of-- to make the claim language more idiomatic and to obviate the deficiency pointed out by the Examiner.

Applicant respectfully continues to traverse the objection (previously presented and repeated in this Office Action) to claim 16, however, because

claim 16 recites coupling holes in its first line of the clause that contains the objectionable language, and that recitation of “coupling holes” served to provide proper antecedent basis for “the coupling holes” in the second line of claim 16.

Reconsideration and withdrawal of this objection are respectfully requested.

Examiner Interview

Applicant acknowledges with appreciation the courtesies extended by Examiner Estremsky to Mr. Robert J. Webster, Applicant’s representative at a personal interview held on August 24, 2005. During that interview, changes to claim language to make it clearer and more idiomatic were discussed, along with the clear differences between Applicant’s dryer door latch and the applied prior art. The above amendments to the claims reflect the results of the very productive discussion with respect to these issues.

Rejection Under 35 U.S.C. § 102

Claims 2-4 and 6-11 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent 6,082,787 to Chioffi et al. (hereinafter, “Chioffi”). This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

Claim 2, as amended, recites a combination of features that are not disclosed by Chioffi. For example, claim 2 recites, among other features, “a hanging protrusion located on one side of each of the holders to be held by an upper end of the first reception part.” Chioffi does not disclose such a feature (found in originally filed claim 5). In fact, this feature is not even discussed in any detail in the rejection. The hanging protrusion is positively recited as (1) formed on one side of each of the holders, and to be (2) held by an upper end of the first reception part.

Chioffi fails to disclose or suggest these positively recited features.

Nor does Chioffi disclose or suggest the function of the hanging protrusion, which is so that a predetermined gap is maintained between the pair of holders (see paragraph [61] and Fig. 3, for example).

Chioffi's holders 8 and 9 merely have locking projections 8a and 9a, shown in Figs. 3 and 6 and described in col. 3, lines 56-64, for example. Projections 8a and 9a are not “hanging protrusions,” in that they do not hang from the holders but are merely stepped portions of the holders.

Furthermore, claim 2 has been amended to positively recite features clearly not disclosed or suggested by Chioffi such as, for example, a pair of holders linearly slidable in the latch body and provided to confront each other in the latch body to directly hold the hanging portion. Chioffi's upper and lower stop elements 8 and 9 do not directly retain engagement member A, as recited.

Additionally, claim 2 has been amended to positively recite a first reception part having side wall portions and receiving the hanging protrusions, a pair of second reception parts provided adjacent to opposing side walls of the first reception part to hold and guide the holders, respectively, and wherein a protrusion is formed on one side of each of the holders to be held against sliding in the latch body by one of the side wall portions of the first reception part.

Chioffi fails to disclose or suggest these positively recited structural features.

Accordingly, claim 2 is not anticipated by Chioffi.

Moreover, because claims 3, 4 and 6-10 depend from claim 2, claims 3, 4 and 6-10 are not anticipated by Chioffi, at least because claims 3, 4 and 6-10 depend from, and therefore, contain all the features of claim 2.

Claim 11 is not anticipated by Chioffi, either, because Chioffi does not disclose a latch cap in general, or a latch cap attachable to the latch body to cover first and second reception parts of the latch body to prevent separation of the holders and the springs from the latch body, as recited.

Whereas the outstanding Office Action alleges that Chioffi '787 illustrates a structure on the entry or front side of the portions 8 and 9 (in the vicinity of reference number 2 in Fig. 6) and on the rear side (in the vicinity of reference number 4 in Fig. 6 or Fig. 2) where either structure reads on the alleged "broad limitation of 'latch cap'," Examiner Estremsky indicated during the interview that

the recitation of a latch cap attachable to the latch body would define over Chioffi.

Moreover, reference No. 2 in Chioffi is the label for what is described by Chioffi as a "housing" and reference No. 4 in Chioffi is the label for what is described as a "slider or retainer member 4" – see col. 3, lines 31-37, for example. Applicant respectfully submits that a slider cannot be a latch cap attachable to the latch body to cover first and second reception parts to prevent separation of the holders and the springs, as recited.

Accordingly, the Office Action fails to make out a *prima facie* case of anticipation of claims 2-4 and 6-11.

Reconsideration and withdrawal of this rejection of claims 1-11 is respectfully requested.

Claims 2-4, 6, 7, 9, 11-13, 15 and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 2,869,952 to Saunders. This rejection is respectfully traversed.

Based upon the discussions in the interview, Applicant has amended claims 1 and 11 to positively recite features that Applicant respectfully submits are neither disclosed nor suggested by Saunders.

For example, with respect to claim 2, Applicant respectfully submits that Saunders neither discloses nor suggests a latch body having a first reception

part having side wall portions and receiving the hanging portion; a pair of second reception parts provided adjacent to opposing side walls of the first reception part to hold and guide the holders, respectively, wherein a protrusion is formed on one side of each of the holders to be held against sliding in the latch body by one of the side wall portions of the first reception part.

Furthermore, Applicant respectfully submits that Saunders does not disclose the positively recited feature of claim 3, i.e., a pair of passing holes communicating with the second reception parts formed at both sides of the first reception part to let the holders pass through. This feature is not even addressed in the rejection. Furthermore, claim 3 depends from claim 2, which patentably defines over Saunders for the reasons stated above.

With respect to claim 11, Applicant respectfully submits that Saunders fails to disclose or suggest a latch body provided to one side of a front panel having the door installed thereon wherein the hanging portion is inserted in an insertion hole formed in the latch body, as recited. Saunders does not disclose a dryer door latch at all, nor does Saunders disclose a dryer door latch having a latch body provided to one side of a front panel having the door installed thereon. These are positive structural features that have to be given patentable weight. Applicant's representative mentioned the "In re Venezia" case during the personal interview and presents the principles of that case now, which principles

support Applicant's argument that these positively recited features have to be given patentable weight.

In In re Venezia, 189 USOQ 149 (CCPA 1976), a number of claims were presented. Claim 31 with emphasis, was representative of the claims on appeal and read, as follows:

31. A splice connector kit having component parts *capable of being assembled* in the field at the terminus of high voltage shielded electrical cables for providing a splice connection between first and second such cables, said cables each having a conductor surrounded by an insulating jacket within a conductive shield wherein a portion of the conductive shield is removed to expose the insulating jacket and a portion of the insulating jacket is removed to expose the conductor at the terminus of the cable, the kit comprising the combination of:

a pair of sleeves of elastomeric material, each sleeve of said pair *adapted to be fitted* over the insulating jacket of one of said cables, each said sleeve having an external surface and a resiliently dilatable internal bore for gripping the insulating jacket to increase the dielectric strength of the creep path along the insulating jacket;

electrical contact means *adapted to be affixed* to the terminus of each exposed conductor for joining the conductors and making an electrical connection therebetween;

a pair of retaining members *adapted to be positioned* respectively between each of said sleeves fitted over the insulating jacket of each said cable and the corresponding terminus of each said cable, said retaining members each having means cooperatively associated therewith for maintaining each said member's position relative to the insulating jacket on each said cable and for precluding axial movement of the sleeve toward the corresponding terminus of each said cable; and

a housing, said housing having an internal bore extending therethrough from end to end, said housing including portions adjacent each end thereof defining said internal bore and being resiliently dilatable *whereby said housing may be slideably positioned* over one of said cables and *then slideably repositioned*

over said sleeves, said retaining members, and said contact means *when said sleeves, said retaining members and said contact means are assembled* on said cables as hereinaforesaid, said resiliently dilatable portions of said housing respectively gripping the corresponding external surface of each said sleeve in watertight sealing relationship therewith and said housing having a further portion intermediate its ends defining said internal bore and forming a sealed chamber enclosing at least said contact means and the exposed portions of said cable conductors *when said housing is in its repositioned location*.

The Court reviewed the disputed claims and in particular the language criticized by the Examiner and the Board, and concluded that the claims do define the metes and bounds of the claimed invention with a reasonable degree of precision and particularly, and that they are, therefore, definite as required by the second paragraph of section 112. As the Court viewed these claims, they precisely define a group or "kit" of interrelated parts. The Court continued by stating:

These interrelated parts may or may not be later assembled to form a completed connector. But what may or may not happen in the future is *not* a part of the claimed invention. The claimed invention does include present structural limitations on each part, which structural limitations are defined by how the parts are to be interconnected in the final assembly, if assembled. However, this is not to say that there is anything futuristic or conditional in the "kit" of parts itself. For example, paragraph two of claim 31 calls for "a pair of sleeves * * * each sleeve of said pair *adapted to be fitted* over the insulating jacket of one of said cables." Rather than being a mere direction of activities to take place in the future, this language imparts a structural limitation to the sleeve. Each sleeve is so structured or dimensioned that it can be fitted over the insulating jacket of a cable. A similar situation exists with respect to the "adapted to be affixed" and "adapted to be positioned" limitations in the third and fourth paragraphs of the claim. The

last paragraph of claim 31 contains additional language criticized by the board, including "may be slideably positioned," "slideably repositioned," "when said sleeves * * * are assembled," and "when said housing is in its repositioned location." However, this language also defines present structures or attributes of the part of the "kit" identified as the housing, which limits the structure of the housing to those configurations which allow for the completed connector assembly desired. Again, a present structural configuration for the housing is defined in accordance with how the housing interrelates with the other structures in the completed assembly. We see nothing wrong in defining the structures of the components of the completed connector assembly in terms of the interrelationship of the components, or the attributes they must possess, in the completed assembly. More particularly, we find nothing indefinite in these claims. One skilled in the art would have no difficulty determining whether or not a particular collection of components infringed the collection of interrelated components defined by these claims. *In re Miller, supra*.

Applicant respectfully submits that claim 1, by reciting a latch body adapted to be provided to one side of a front panel having the door installed thereon wherein the hanging portion is inserted in an insertion hole formed in the latch body, Applicant is positively reciting present structures or attributes of the identified dryer door latch, which limits the structure of the dryer door latch, and which have to be given patentable weight.

Saunders fails to show a dryer door latch body adapted to be provided to one side of a front panel having the door installed thereon. Actually, Saunders' door latch appears to be inside of a U-shaped casing 31 that is screwed onto metal reinforcing or channel member 21 and is shown in cross section in Fig. 2, for example. It appears that Saunders' door latch is attached not to what may be

described as a front panel, but to channel member 21, which is a reinforcing member, and whatever channel member 21 is attached to does not appear to be a panel on which the door 12 is installed. The Office Action does not address this issue, so it does not make out a *prima facie* showing that this feature is shown or suggested by Saunders.

Additionally, Saunders does not disclose or suggest a latch cap attachable to the latch body to cover first and second reception parts of the latch body to prevent separation of the holders and the springs from the latch body, as recited. The Office Action asserts that either U-shaped channel of Saunders anticipates the limitation of a latch cap. Applicant respectfully disagrees. Saunders' U-shaped casing 31 cannot be both a latch body and a separately recited latch cap attachable to the latch body to prevent separation of the holders. In this regard, Examiner Estremsky agreed that by reciting that the latch cap is attachable to the latch body, that two separate elements are being recited.

Accordingly, the Office Action fails to make out a *prima facie* case of anticipation of claims 2-4, 6, 7, 9, 11-13, 15 and 16.

Reconsideration and withdrawal of this rejection of claims 2-4, 6, 7, 9, 11-13, 15 and 16 are respectfully requested.

Allowable Subject Matter

By only objection to claim 14, the Examiner indicates that claim 14 would be allowable if rewritten in independent form.

Objected-to claim 14 has been rewritten into independent form, and should therefore be allowed.

Claim Scope

At the interview, Examiner Estremsky indicated his concern about whether Applicant is claiming the subcombination of a dryer door lock, or the combination of a dryer and a dryer door lock. Examiner Estremsky indicated that he would like Applicant to make that clearer by amending the claim preambles. Applicant has amended the claims using language kindly suggested by Examiner Estremsky, and has added claims 17-19 to positively recite the combination of a laundry dryer and a dryer door lock.

Additional Cited References

Because the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant respectfully requests that the Examiner withdraw the finality of the outstanding Office Action, reconsider all presently outstanding objections and rejections and that those objections and rejections be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Robert J. Webster, Registration No. 46,472, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.


Application No.: 10/721,340
Art Unit 3676

Attorney Docket No. 0465-1089P
Reply to May 26, 2005 Office Action
Page 20

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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